10/534561

JC20 Rec'd Pet/PTO 0.9 MAY 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	Not yet assigned)
Filed:	May 9, 2005	Certificate of Mailing by "Express Mail" Mailing Label Number <u>EV36512885745</u> Date of Deposit: 4MAU 9 2005
For:	BREATHING ASSISTANCE APPARATUS	Date of Deposit: 4005 I hereby certify that this paper of fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 35 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Applicant:	Wixey et al.	Juny & Souton
Examiner:	Not yet assigned)
Art Unit:	Not yet assigned)
Attornev Ref:	1171/42920/159	<i>)</i>

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant submits the present Information Disclosure Statement and Form PTO/SB/08A.

This Information Disclosure Statement is being filed concurrently with the National Phase filing of PCT/NZ2003/00243 on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

The references cited in this Information Disclosure Statement are either cited in the Summary of the Prior Art section of the patent application or the Search Report completed on February 17, 2004, a copy of which is enclosed with the patent application.

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The foreign references are not in the English language, therefore, attached to each foreign patent is an English abstract.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: May 9, 2005

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Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Complete if Known				
Application Number	Nt Gt As Sport 261			
Filing Date	May 9, 2005			
First Named Inventor	David Fraser Wixey			
Art Unit	Not Yet Assigned			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	1171/42920/159			

			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6050260	04/18/2000	Daniell et al.	
	-	US-			
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	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶
		DE19630466	02/05/1998	Nikolaus		
		JP9276408	10/28/1997	Katsumasa		
		WO 01/10489	02/15/2001	Wolfgang		_
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Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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